

PUBLIC UTILITIES COMMISSION OF OHIO
TRANSPORTATION DEPARTMENT
RAILROAD DIVISION

INTEROFFICE MEMORANDUM

To: Docketing

From: Robert E. Marvin, Chief

Subject: W.V. 74-97-5 -- Alleged excessive growth of weeds
and vegetation, American Distribution Company,
Cleveland, Cuyahoga County, Ohio.

Date: August 5, 1997

97-875-RR-CSS

Please docket the attached complaint filed by the Ohio State
Legislative Board, United Transportation Union. This
complaint is filed pursuant to Rule 4901-5-22, O.A.C.

This complaint is filed against the Norfolk & Western Railway
Company. It is recommended that copies be served on: C. T.
Corporation System, 815 Superior Avenue, NW, Cleveland, OH
44114 and William J. Thompson, Chairman, Ohio State
Legislative Board, United Transportation Union, 2021 East
Dublin-Granville Road, Suite 245, Columbus, OH 43229.

In the absence of a railroad answer within fifteen (15) days,
the Railroad Division will arrange to investigate the
complaint and file a written report of its findings.

c: William J. Thompson
Leo Charles
File

PUCO

97 AUG -8 AM 9:35

WILLIAM J. THOMPSON, Chairman
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Columbus, Ohio 43229-3522

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Blumenstiel, Huhn, Wood, Adams
& Hemmer, Co., LPA
Legal Counsel
261 West Johnstown Rd.
Columbus, Ohio 43230

CO-OPERATIVE
LEGISLATIVE COMMITTEE
Railroad Brotherhoods & Railroad Unions
State of Ohio

July 28, 1997

W.V. 74-91-5

The Public Utilities Commission of Ohio
180 East Broad Street, 5th Floor
Columbus, OH 43266-0573

ATTENTION: Mr. Robert E. Marvin, Interim Chief
Transportation Department
Railroad Section

Gentlemen:

RECEIVED

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RAILROAD SECTION
Public Utilities Commission of Ohio

97-875 RR-CSS

The Co-Operative Legislative Committee representing Ohio railroad employees wishes to file a weed and vegetation complaint (Ohio Administrative Code 4901-5-22) against the Norfolk & Western Railway Company, which railroad is subject to regulation under Chapters 4905 and 4907 of the Revised Code.

In conducting its railroad operation at Cleveland, Ohio, said company has permitted unsafe and hazardous conditions to arise due to the excessive growth of weeds and vegetation on its property at the following location:

At the American Distribution Company there is a problem with excessive weeds and vegetation, which is also causing mosquito infestation in this area.

By its failure to establish or maintain an adequate vegetation control program early in the season, it is now endangering the railroad employees required to use this area in the performance of their required duties.

It is requested that an investigation be conducted, under Section 4907.08, to determine if this railroad at the above

The Public Utilities Commission of Ohio
ATTENTION: Mr. Robert E. Marvin
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location is in violation of your Commission's "Weed Order". If excessive growth is found, then an appropriate and timely order should be issued to require the elimination of the growth and the establishment of a vegetation control program to prevent the recurrence of such unsafe conditions.

Respectfully submitted,


WILLIAM J. THOMPSON, Chairman
Co-Operative Legislative Committee

WJT/B/jvs

cc: Mr. Charles L. Little,
International President
Brotherhoods
Mr. J. J. Kern, CSX - Certified Mail
File